

IRW



PATENT  
Customer No. 22,852  
Attorney Docket No. 04329.3271

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Kyoko Izuha et al. ) Group Art Unit: 2825  
)  
Application No.: 10/801,798 ) Examiner: WHITMORE, Stacy  
)  
Filed: March 17, 2004 ) Confirmation No.: 1896  
)  
For: CALCULATING METHOD, )  
VERIFICATION METHOD, )  
VERIFICATION PROGRAM AND )  
VERIFICATION SYSTEM FOR )  
EDGE DEVIATION QUANTITY, )  
AND SEMICONDUCTOR DEVICE )  
MANUFACTURING METHOD )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

In a restriction requirement mailed April 12, 2006, the period for response to which extends through May 12, 2006, the Examiner required election under 35 U.S.C. § 121 of "patentably distinct species: claims 1-22, groups 1-5." However, since the Examiner did not identify any particular figures or claims corresponding to "groups 1-5," Applicants' undersigned representative telephoned the Examiner to request clarification. In that telephone conversation, the Examiner advised that Applicants could respond to the election requirement by electing one of the three embodiments disclosed in the specification.

In accordance with the Examiner's clarification, Applicants elect to prosecute the first embodiment (Figs. 1 and 2) disclosed in the specification without traverse and identify claims 1, 3, 5, 7, 9, 11, 13, and 15 as being readable on the first embodiment.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: May 11, 2006

By: 

Richard V. Burgujian  
Reg. No. 31,744